

## **MEDICAL BOARD OF CALIFORNIA**

### **INITIAL STATEMENT OF REASONS**

Hearing Date: February 2, 2007

Subject Matter of Proposed Regulations:

Application fees for approval to participate in foreign fellowships and guest faculty positions as authorized in sections 2111 & 2113 of the Business & Professions Code.

Section(s) Affected: Title 16, Section 1351.1

#### Specific Purpose of each adoption, amendment, or repeal:

To implement provisions in AB 2260 (Negrete McLeod, Chapter 565, Statutes of 2006), which amended sections 2111 and 2113 of the Business & Professions Code. This proposal addresses the assessment of fees for application for approval and for renewal of approval to participate as foreign guest physician fellows and faculty in California accredited medical schools.

#### Factual Basis/Rationale

AB 2260 (Negrete McLeod, Chapter 565, Statutes of 2006), amended sections 2111 and 2113 of the Business & Professions Code to direct the Board to charge a fee for processing initial and renewal applications for foreign fellowships and guest faculty.

California law provides a licensing exemption for physicians from other countries who are not licensed to practice medicine in fellowships and faculty positions at medical schools. Section 2111 of the Business & Professions Code allows schools to provide fellowships, and Section 2113 provides for foreign physicians to fill specified faculty positions.

#### Underlying Data

Technical, theoretical or empirical studies or reports relied upon:

The setting of the application fee was based on the hours to process the application by the Board's staff (AGPA), which is approximately 90 minutes, plus mailing costs. The renewal fee is based on the time to process the application plus mailing costs. The monitoring and review costs are not included in the fee, and will continue to be funded by the Board. The fiscal data and cost calculations to determine the fees are attached

to the Economic and Fiscal Impact Statement (Std. 399)

Business Impact

This regulation will not have a significant adverse economic impact on businesses.

Specific Technologies or Equipment

This regulation does not mandate the use of specific technologies or equipment.

Consideration of Alternatives

No reasonable alternative to the regulation would be either more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed regulation.